

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)	
	)	FCC 11-64
MARITIME COMMUNICATIONS/LAND	)	EB Docket No. 11-71
MOBILE, LLC	)	File No. EB-09-IH-1751
	)	FRN: 0013587779
Participant in Auction 61 and Licensee of Various	)	Application File No.
Authorizations in the Wireless Radio Services	)	0002303355
)	
Applicant for Modification of Various Authorizations in the)	
Wireless Radio Services)	
)	
Applicant with ENCANA OIL AND GAS (USA), INC.;	)	Application File Nos.
DUQUESNE LIGHT COMPANY; DCP MIDSTREAM, LP;	)	0004030479, 0004144435,
JACKSON COUNTY RURAL MEMBERSHIP ELECTRIC	)	0004193028, 0004193328,
COOPERATIVE; PUGET SOUND ENERGY, INC.;	)	0004354053, 0004309872,
ENBRIDGE ENERGY COMPANY, INC.; INTERSTATE	)	0004310060, 0004314903,
POWER AND LIGHT COMPANY; WISCONSIN POWER	)	0004315013, 0004430505,
AND LIGHT COMPANY; DIXIE ELECTRIC MEMBERSHIP	)	0004417199, 0004419431,
CORPORATION, INC.; ATLAS PIPELINE -- MID	)	0004422320, 0004422329,
CONTINENT, LLC; DENTON COUNTY ELECTRIC	)	0004507921, 0004153701,
COOPERATIVE, INC., DBA COSERV ELECTRIC; AND	)	0004526264, 0004636537
SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY	)	and 0004604962
)	
For Commission Consent to the Assignment of Various		
Authorizations in the Wireless Radio Services		
 To: Marlene H. Dortch, Office of the Secretary Attn: Hon. Richard L. Sippel, Chief Administrative Law Judge		

Motion Regarding Timing and Procedure

The undersigned parties (together, “SkyTel”) submits this motion regarding certain timing and procedure in the Commission's Order to Show Cause and Hearing Designation Order (the “OSC” or “HDO”) regarding Maritime Communications/Land Mobile LLC (“MCLM”) and the other assignee parties listed in the OSC caption (the “Other Parties” or the “Assignees”).¹

The SkyTel Parties severally and jointly submit this motion.

¹ *Order to Show Cause, Hearing Designation Order, and Notice of Opportunity for Hearing*, FCC 11-64, released April 19, 2011, 76 FR 30154.

SkyTel raises the following as threshold procedural issues in this Motion. Issues 2 and 3 below were also initially presented in SkyTel's Motion to Enlarge (original and Amended-Errata versions). Based on these issues, SkyTel asks below for certain timing to be established.

1. SkyTel's counsel, Nossaman LLP, Withdrawal due to Conflict, and SkyTel Diligence in Seeking Substitute Counsel: Time Needed.

See Exhibits 1 and 2 hereto.

SkyTel further explains that Nossman has, in fact, from the date they saw the SCRRA Notice of Appearance to this time, not provided any service or representation to SkyTel in this Hearing matter, due to the explained conflict. Nossaman notified SkyTel that while they have a conflict related to SCRRA and Los Angeles County government (that government is a component member of the SCRRA multi-county agency) and not the other Parties, they do not believe they can participate in this Hearing involving all the Parties given that conflict. Due to that withdrawal by Nossaman, SkyTel has proceeded in the Hearing, attempting as best as they can, to understand the rules and procedures and timing in this formal hearing process (they are experienced in wireless licensing and proceedings, but not formal FCC Hearings that are similar to court litigation). At the same time, SkyTel has diligently sought replacement counsel. They have candidates under review, but do not have a decision, and there are some potential conflicts still under review. There are many parties in this proceeding, some with affiliates. Also, some law firms are not aligned to challenging the FCC or industries that SkyTel sometimes challenges, for good cause. In short, this process of obtaining substitute counsel for this major Hearing proceeding takes some time to complete, and SkyTel has not yet completed this.

SkyTel requests that the ALJ: (i) permit the SkyTel Pro Se participation in this Hearing, and (ii) establish certain timing noted below (for reasons of all three numbered issues). In addition to the other reasons given herein, SkyTel believes that FCC rule Section 1.21(d) supports this request: it indicates that there are good causes of having legal counsel represent

parties in formal hearings. Generally, that will increase awareness of rules, and efficient participation. (Section 1.27 is also supportive.)

2. SkyTel Parties Hearing Rights Under 47 USC §309(d):
Said Hearings on all OSC Applications, Commencing with Maritime Long Form
Must Precede this OSC Hearing

This issue is presented by SkyTel in the email in Exhibit 1 to SkyTel's Motion to Enlarge which is referenced and incorporated herein. This Hearing should not proceed prior to the completion of said Section 309(d) hearings, and of those, the first one should be on the Maritime Long-Form application in Auction 61.

3. Unlawful Denial of Skybridge FOIA Request in Year 2010
of Information Essential to this Hearing,
Effectively Admitted to by FCC in Recent Weeks:
Prejudice to SkyTel Parties

See Exhibit 1 to SkyTel' Motion to Enlarge which is referenced and incorporated herein. The issues which SkyTel seeks to add to this Hearing as threshold procedural issues are (i) the prejudice described in Exhibit 1, and related thereto, (2) that this Hearing should be stayed until the information sought in the described FOIA request is publicly released and made available to SkyTel and other Parties in this Hearing, otherwise, the Parties, at least SkyTel Parties, are prejudiced and will challenge the legitimacy of the Hearing process.

Timing Requests

Based on the preceding, SkyTel requests:

- (1) Postponement of the prehearing conference now set for June 15, for two weeks, and also allow at this hearing, if not postponed, SkyTel to appear by telephonic conference-phone attendance (SkyTel is located in California).
- (2) Resetting the dates for any past and future filings and action by SkyTel by allowing SkyTel up to the same date noted above for all such filings and actions.

Sincerely,



Warren Havens, Individually and as President of the below listed entities (collectively,
“SkyTel”)

Skybridge Spectrum Foundation, FRN 0016374563
Environmental LLC, FRN 0011257086
Intelligent Transportation & Monitoring Wireless LLC, FRN 0012930582
Verde Systems LLC, FRN 0009561002
Telesaurus Holdings GB LLC, FRN 0005748660
V2G LLC, FRN 0019661297
Warren Havens, FRN 0003787694

2509 Stuart Street (principal office)
Berkeley, CA 94705
Ph: 510-841-2220
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June 9, 2011

Declaration

I, Warren C. Havens, hereby declare, under penalty of perjury, that the foregoing Motion was prepared pursuant to my direction and control and that all the factual statements and representations of which I have direct knowledge contained herein are true and correct.



Warren C. Havens

June 9, 2011

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that a copy of the foregoing **Motion** along with this executed Certificate of Service is being served this 9th day of June 2011, via U.S. Mail, first class postage prepaid, upon the following:^{2/3}

Honorable Richard L. Sippel
Chief Administrative Law Judge
Office of Administrative Law Judges
Federal Communications Commission
445 12th Street SW
Washington, DC 20554
Email: Richard.sippel@fcc.gov

P. Michele Ellison,
Chief, Enforcement Bureau
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² The mailed, served copy being placed into a USPS drop-box today may be after business hours, and therefore, not be processed by the USPS until the next business day.

³ A courtesy PDF copy of this Motion is also being provided via email to the parties.

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Attn: Rod Dir, President and CEO
Richard Licursi, Chairman

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Jason Smith
President & CEO
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Warren Havens,

President, Skybridge Spectrum Foundation, Environmental LLC, Intelligent Transportation and Monitoring Wireless, LLC, Verde Systems LLC, Telesaurus Holdings GB, LLC, and V2G LLC

May 30, 2011

Attn: Hon. Richard L. Sippel, Chief Administrative Law Judge
The Commission

Today, the email attached hereto, an email from Warren Havens to Mary Gosse (for the Hon. Richard L. Sippel) at the FCC dated May 27, 2011, is being filed in the following dockets and under the following File No.:

1. EB Docket No. 11-71
2. WTB Docket No. 10-83
3. File No. 0002303355

Sincerely,

/s/

Jimmy Stobaugh
On behalf of:

Warren Havens, Individually and as President of:
Skybridge Spectrum Foundation
ATLIS Wireless LLC
V2G LLC
Environmental LLC
Verde Systems LLC
Telesaurus Holdings GB LLC
Intelligent Transportation & Monitoring Wireless LLC
2509 Stuart Street
Berkeley, California 94705
510 841 2220
510 848 7797

Subject: Havens, Skybridge et al: substitute counsel issue in OSC hearing under FCC 11-64

Date: Friday, May 27, 2011 3:45:11 PM PT

From: Warren Havens <warren.havens@sbcglobal.net>

To: Mary Gosse <Mary.Gosse@fcc.gov>

CC: "Albert J. Catalano" <ajc@catalanoplache.com>, "Charles A. Zdebski" <czdebski@eckertseamans.com>, "Eric J. Schwalb" <eschwalb@eckertseamans.com>, Gary Schonman <Gary.Schonman@fcc.gov>, "Harry F. Cole" <cole@fhhlaw.com>, Jack Richards <richards@khlaw.com>, "Jeffrey L. Sheldon" <jsheldon@fr.com>, Jimmy <jstobaugh@telesaurus.com>, "Kurt E. DeSoto" <kdesoto@wileyrein.com>, Mark Griffith <mgriffith@telesaurus.com>, "Matthew J. Plache" <mjp@catalanoplache.com>, Pamela Kane <Pamela.Kane@fcc.gov>, "Patricia J. Paoletta" <tpaoletta@wiltshiregrannis.com>, "Paul J. Feldman" <feldman@fhhlaw.com>, "Robert J. Miller" <rmiller@gardere.com>, "Robert M. Gurss" <gurss@fhhlaw.com>, "tdamari@nossaman.com" <tdamari@nossaman.com>, Terry Cavanaugh <Terry.Cavanaugh@fcc.gov>, Wes Wright Cc: Justin Ross <wright@khlaw.com>, Richard Sippel <Richard.Sippel@fcc.gov>, jstobaugh@telesaurus.com <jstobaugh@telesaurus.com>, Warren Havens <warren.havens@sbcglobal.net>

To: Mary Gosse <Mary.Gosse@fcc.gov>

(for Honorable Richard L. Sippel, Administrative Law Judge, FCC)

cc: "Albert J. Catalano" <ajc@catalanoplache.com>, "Charles A. Zdebski" <czdebski@eckertseamans.com>, "Eric J. Schwalb" <eschwalb@eckertseamans.com>, Gary Schonman <Gary.Schonman@fcc.gov>, "Harry F. Cole" <cole@fhhlaw.com>, Jack Richards <richards@khlaw.com>, "Jeffrey L. Sheldon" <jsheldon@fr.com>, Jimmy <jstobaugh@telesaurus.com>, "Kurt E. DeSoto" <kdesoto@wileyrein.com>, Mark Griffith <mgriffith@telesaurus.com>, "Matthew J. Plache" <mjp@catalanoplache.com>, Pamela Kane <Pamela.Kane@fcc.gov>, "Patricia J. Paoletta" <tpaoletta@wiltshiregrannis.com>, "Paul J. Feldman" <feldman@fhhlaw.com>, "Robert J. Miller" <rmiller@gardere.com>, "Robert M. Gurss" <gurss@fhhlaw.com>, "tdamari@nossaman.com" <tdamari@nossaman.com>, Terry Cavanaugh <Terry.Cavanaugh@fcc.gov>, Wes Wright <wright@khlaw.com>

Cc: Justin Ross <Justin.Ross@fcc.gov>, Richard Sippel <Richard.Sippel@fcc.gov>

The below is to advise your office and the ALJ in this matter, Mr. Sippel, of our situation regarding the matters of the preceding email exchange contained below.

We have not heard from the Nossaman firm yet regarding our email of yesterday, immediately below. We will advise once we obtain that (as part of our formal filing noted below).

I am forwarding the below, as I indicated to the Nossaman firm below, as an appropriate interim filing, by end of this week, to show that I and my companies are working on this matter. In addition to the below request to Nossaman, I have been interviewing law firms that are potential substitute counsel.

Also, for convenience (and for other Parties to have the record), Mr. Stobaugh's email, which was *not a substantive request but a request for advice* on procedure (since we have no legal counsel at that time, since Nossaman has ceased acting as adviser or representative on this matter). We appreciate your general advice on that matter.

My office will file a PDF copy email string in the docket.

I do not plan to mail this out, since it is procedural in nature and not, in my understanding, an ex parte "presentation" or otherwise a filings that requires mail service.

When my companies seek additional time to obtain substitute counsel, which we expect to file soon (some day next week), we will submit that in a form filing with caption, and with mail service and certificate attached. We do not want to submit that until we get the response from Nossaman and we have a better idea of what is involved in getting new counsel after further initial inquires and interviews.

Sincerely,

President

Skybridge Spectrum Foundation

ATLIS Wireless LLC

V2G LLC

Environmentel LLC

Verde Systems LLC

Telesaurus Holdings GB LLC

Intelligent Transportation & Monitoring Wireless LLC

Berkeley California

www.scribd.com/warren_havens/shelf

510 841 2220 x 30

510 848 7797 -direct

Sincerely,
Warren Havens

From: Warren Havens <warren.havens@sbcglobal.net>

To: Tamir D Damari <tdamari@nossaman.com>; "PRichard@Nossaman.com" <PRichard@Nossaman.com>

Cc: Kurt W Melchior <kmelchior@nossaman.com>; Jimmy Stobaugh <jstobaugh@telesaurus.com>; Warren Havens <warren.havens@sbcglobal.net>

Sent: Thursday, May 26, 2011 11:59 AM

Subject: Filing with FCC in OSC, re Nossaman conflict, withdrawal

Tamir Damiri,
Patrick Richard
Nossaman LLP

In accordance with the below email from Ms. Grosse, writing for the ALJ (responding to Mr. Stobaugh's email below that), please submit the appropriate filing given your firm's representation of Los Angeles County and consequent conflict determination (in the memo from Mr. Melchior), and prior withdrawal (at point of the SCRRRA Notice of Appearance) from representing my companies (listed below) in this OSC matter with regard to SCRRRA and the other parties and Applications captioned in the OSC. As you know, for my companies and myself, I did not independently grasp or confirm your determination's facts and law, nor did I seek the withdrawal but instead attempted to have your firm not withdraw.

Due to the complexity and magnitude of this OSC matter (20 Applications and other parties involved, with the FCC Enforcement Bureau in addition, etc.), I believe my companies need over a month of time to interview and find a suitable replacement firm among the limited communications-practice firms. That cannot be done without merit, conflict and other analysis, and review of substantial materials (the OSC resulted from six years of previous proceedings). We also are time constrained in this task, including due to our acting on our own in this OSC matter after your firm's withdrawal.

Since this OSC is time sensitive, I request that this is done as soon as possible.

If for any reason I do not obtain a response from you by mid day tomorrow, then I may submit an appropriate filing, attaching this request.

If you need to request any permission of your client, Los Angeles County, to submit this requested filing that may be construed as against their interest, and have not yet done that, then please do that and attach the communications. Also, please attach the communication from Los Angeles County that I understand you have which denied providing to your firm a conflict waiver, or if that was oral, then please get that in writing so it can be documented.

Sincerely,

Warren Havens
Individually and as
President

Skybridge Spectrum Foundation

ATLIS Wireless LLC

V2G LLC

Environmental LLC

Verde Systems LLC

Telesaurus Holdings GB LLC

Intelligent Transportation & Monitoring Wireless LLC

Berkeley California

www.scribd.com/warren_havens/shelf

510 841 2220 x 30

From: Mary Gosse <Mary.Gosse@fcc.gov>
Date: Wed, 25 May 2011 15:25:52 -0400
To: "Albert J. Catalano" <ajc@catalanoplache.com>, "Charles A. Zdebski" <czdebski@eckertseamans.com>, "Eric J. Schwalb" <eschwalb@eckertseamans.com>, Gary Schonman <Gary.Schonman@fcc.gov>, "Harry F. Cole" <cole@fhhlaw.com>, Jack Richards <richards@khlaw.com>, "Jeffrey L. Sheldon" <jsheldon@fr.com>, Jimmy <jstobaugh@telesaurus.com>, "Kurt E. DeSoto" <kdesoto@wileyrein.com>, Mark Griffith <mgriffith@telesaurus.com>, "Matthew J. Plache" <mjp@catalanoplache.com>, Pamela Kane <Pamela.Kane@fcc.gov>, "Patricia J. Paoletta" <tpaoletta@wiltshiregrannis.com>, "Paul J. Feldman" <feldman@fhhlaw.com>, "Robert J. Miller" <rmiller@gardere.com>, "Robert M. Gurss" <gurss@fhhlaw.com>, "tdamari@nossaman.com" <tdamari@nossaman.com>, Terry Cavanaugh <Terry.Cavanaugh@fcc.gov>, Wes Wright <wright@khlaw.com>
Cc: Justin Ross <Justin.Ross@fcc.gov>, Richard Sippel <Richard.Sippel@fcc.gov>
Subject: FCC/OALJ Response

RE: EB Docket No. 11-71
Maritime Communications/Land Mobile

Subject: Mr. Jimmy Stobaugh e-mail dated 5/24/11

Mr. Stobaugh:

The Chief Judge has assigned your informal request to me for review and reply. For reasons stated below, and after consultation with the Chief Judge, your request must be denied.

Under the Rules of Practice and Procedure, the procedure for requesting an extension of time is by petition or motion setting forth grounds for relief. See 47 C.F.R. §§1.45(d), 1.46(a), 1.49(a). Informal requests via email may not be granted. Also, proper procedures require that the moving party serve copies of the motion on all parties, including Enforcement Bureau. Furthermore, sufficient cause has not been shown to extend the previously set conference date of June 15, 2011 to a later date merely to obtain new counsel, particularly where there is a qualified attorney capable of finding substitute counsel for purpose of appearing at a conference. The conference is primarily being held to set a schedule for discovery and hearing. No substantive issues will be resolved. It is not unreasonable to expect parties to find new counsel by the conference date of June 15, which is about three weeks away.

Also, it is probable that Mr. Stobaugh and current counsel knew of the disqualifying circumstance some time before the date of the email. It would be appropriate under these circumstances for counsel to file its own motion for leave to withdraw, reflecting that counsel will be diligent in assisting the client, Mr. Stobaugh, et al, in continuing representation while assisting in obtaining substitute counsel as opposed to an abrupt withdrawal. See 47 C.F.R. §1.243 (Authority of presiding judge).

Justin Ross
Law Clerk to Chief Judge
FCC/OALJ
Washington, D.C.
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FAX: 202 418-0195
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From: Jimmy <jstobaugh@telesaurus.com>
Date: Tue, 24 May 2011 14:18:51 -0700
To: <richard.sippel@fcc.gov>
Cc: Jimmy <jstobaugh@telesaurus.com>, Warren Havens <warren.havens@sbcglobal.net>
Subject: Re: Order to Show Cause, FCC 11-64, released April 19, 2011

To: Honorable Richard L. Sippel, Administrative Law Judge, FCC

Re: Order to Show Cause..., FCC 11-64, released April 19, 2011, re: Maritime Communications/Land Mobile LLC et al. (the "OSC")

Honorable Richard L. Sippel,

All the below-listed entities are parties to the OSC matter (the "Parties"). The Nossaman LLP law firm filed the Notice of Appearance for the Parties. In recent several days, firming up only today, Nossaman LLP informed the Parties that it has a conflict precluding it from continuing to advise or represent the Parties in the OSC matter. Nossaman LLP is counsel to Los Angeles County that is one of the governmental agencies under which Southern California Regional Railroad Authority ("SCRRA") operates. Nossaman may also represent SCRRA directly, however, Nossaman has not given the parties details other than it represents Los Angeles County. The Parties have commenced seeking substitute counsel, and once the Parties find appropriate counsel getting them up to speed regarding the various applications and other background of the OSC matter. That will take substantial time. The Parties intend to file a request to extend all of the due dates in the OSC matter for themselves and any scheduled proceeding matters including the June 15th hearing.

Also, Parties calculate that opposition(s) that the Parties may file regarding the SCRRA May 9th filing (a certain showing/motion under Footnote 7 of the OSC) appears to be due today. It will not be possible for any of the Parties to properly file such an opposition today given that Nossaman LLP suspended its service to the Parties regarding the OSC matter several weeks ago when it obtained a copy of the SCRRA Notice of Appearance.

Nossaman LLP then undertook a conflict analysis with regard to the firm representing Los Angeles County (see above). Nossaman informed us that it would seek a waiver from Los Angeles County. As indicated above, only in the recent several days did Nossaman LLP give us its conclusion that it must cease services to the Parties with regard to the OSC matter.

Because of the due date today, we would appreciate it if you could give us a call (see below phone numbers), and provide information as to appropriate procedures given the above situation, including the apparent opposition due date of today.

I will also send a copy of this email to the fax number listed for you in the OSC matter.

Sincerely,

Jimmy Stobaugh, GM

For Warren Havens, Individually and President of the following entities:

Skybridge Spectrum Foundation

Environmental LLC

Intelligent Transportation & Monitoring Wireless LLC

Verde Systems LLC

Telesaurus Holdings GB LLC

V2G LLC

Cc: Warren Havens

BEFORE THE FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of MARITIME COMMUNICATIONS/LAND	EB Docket No. 11-71, File
	No. EB-09-IH-1751
	FRN: 0013587779
MOBILE, LLC, Participant in Auction 61 and Licensee	
of Various Authorizations in the Wireless Radio Services,	
Applicant for Modification of Various Authorizations in	
the Wireless Radio Services and Applicant for Commission	
Consent to the Assignment of Various Authorizations in	
the Wireless Radio Services	
	Application File Nos.
	0004030479, 0004144435
	0004193028, 0004193328
	0004354053, 0004309872
	0004310060, 0004314903
	0004315013, 0004430505
	0004417199, 0004419431
	0004422320, 0004422329
	0004507921, 0004153701
	0004526264, 0004636537
	and 0004604962

NOTICE OF INTENT TO WITHDRAW APPEARANCE AS COUNSEL OF RECORD

The Nossaman law firm, counsel for Environmental LLC, Intellegent Transportation and Monitoring Wireless, LLC, Skybridge Spectrum Foundation, Telesaurus Holdings GB, LLC and Warren Havens, hereby gives notice of its intent to withdraw as counsel of record.

1. This notice is being filed for the information of the Chief Judge and of the parties. Its purpose is to advise the tribunal and the parties of a problem concerning the representation of Warren Havens and entities associated with Mr. Havens, so as to assure if possible, that Mr. Havens' and related parties' interests will be fully protected while those parties retain new, conflict-free counsel to represent them before this tribunal. Challenges are presented with the concept that Mr. Havens' established counsel may be required to withdraw where a new

proceeding such as this one (although in some ways a continuation of prior matters) includes the participation of new parties and a new docket number, and involves parties whose presence creates disqualifying conflicts of interest for the Havens' parties' counsel.

2. The undersigned respectfully request that in light of their inability to represent the Havens parties' interests in the present matter as explained below, the tribunal should establish a date by which the Havens parties shall be required to appear and present their positions to this tribunal, and that until such date no actions adverse to the Havens parties' interests be taken herein, to avoid injustice and prejudice to parties whose prior counsel cannot represent them here for the reasons stated.

3. Counsel had hoped and expected that a substitution of counsel could have been effected but the timing of matters necessitates this notice, in part because of the e-mail from Justin Ross, law clerk to the Chief Judge, dated May 25 touching on these issues.

4. Nossaman has represented Havens and affiliated entities in judicial proceedings in state and federal courts to prosecute claims for damages arising from, in part, the conduct of Maritime Communications/Land Mobile, LLC ("Maritime"). The firm has not heretofore represented Havens in the FCC licensing proceedings giving rise to this case.

5. On April 19, 2011, the FCC issued order DA 11-64 outlining the history of some of Maritime's conduct supporting the revocation of certain licenses. At the clients' request, Nossaman filed notices of appearances on behalf of Havens and affected LLCs on May 6 and May 9 so as to preserve the Havens parties' right to participate as parties in the Order to Show Cause ("OSC") proceeding. Nossaman did not receive electronic notice or service copies of other appearances or papers filed in the OSC proceeding at that time, nor were those materials available on the FCC's electronic docket until 8 days later.

6. On or about May 12, 2011, Nossaman learned that the Southern California Regional Rail Authority ("SCRRA") and Maritime had filed notices of appearance that had been served by mail on our client. That was the first appearance of those parties in the FCC OSC proceeding commenced under Order 11-64, adverse to the Nossaman firm's clients.

7. A conflicts check then revealed that Nossaman provides legal services to the SCRRA and its principal member, the County of Los Angeles, on matters other than the acquisition of FCC spectrum. Thus, it appeared that the law firm would have a conflict of interest if the SCRRA would be participating in the OSC license revocation proceedings. The SCRRA confirmed its objection to the adverse representation.

8. The firm immediately began identifying potential substitute counsel. It also requested internal Counsel for the firm to analyze the legal issues surrounding this conflicts issue with Counsel for the Firm, and have continued to do so as additional information emerges.

9. Obtaining substitute legal counsel requires time and a vetting process because of the unique nature of FCC law and administrative proceedings, and because a number of firms also have conflicts of interest due to the number of parties now involved in this matter. Additionally, Order 11-64 addresses a pattern of conduct by Maritime covering a period of many years and counsel will need to become familiar with this factual history. We do not by this submission intend to disclose, and do not disclose, any communications protected by the attorney-client privilege, nor to provide a complete statement of the details giving rise to the legal conflict of interest. Nor have we intended to withdraw immediately or without available substitute counsel so as to preserve the full rights and standing of Mr. Havens and related entities. Our client does not seek to delay these proceedings and would prefer that Nossaman not now have a legal

conflict of interest. But the duties placed upon counsel to avoid representing in a legal proceeding a client against another client of the firm are clear under these circumstances.

10. We hope to have a transition to substitute counsel resolved prior the case management conference currently scheduled for June 15, although our client anticipates that 30 days is more likely given the amount of material and information that potential new counsel will need to review. If an appropriate transition cannot be accomplished before the case management conference, it is likely that a formal application for appropriate relief will be made at or prior to the status conference, based upon the facts as then developed.

/s/ Tamir Damari
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Foundation, Telesaurus Holdings GB, LLC, Verde
Systems LLC, V2G LLC and Warren C. Havens

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document is being served this 26th day of May, 2011, via U.S. Mail, postage prepaid, upon each of the parties and potentially-interested parties in this case, as identified in Paragraph 73 of the Commission's Order No. DA 11-64 (April 19, 2011).

/s/ Tamir Damari
Tamir Damari